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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY:

DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

January 2007 Grand Jury

'07 CR 3347 JM

UNITED STATES OF AMERICA,)	Criminal Case No. _____
)	
Plaintiff,)	<u>I N D I C T M E N T</u>
)	
v.)	Title 8, U.S.C., Secs. 1326(a)
)	and (b) - Deported Alien Found
JOSE RUBEN NIETO-RESENDIZ,)	in the United States
)	
Defendant.)	
_____)	

The grand jury charges:

On or about October 1, 2007, within the Southern District of California, defendant JOSE RUBEN NIETO-RESENDIZ, an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Sections 1326(a) and (b).

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CPH:nlv:San Diego
12/10/07

1 It is further alleged that defendant JOSE RUBEN NIETO-RESENDIZ
2 was removed from the United States subsequent to October 20, 2006.

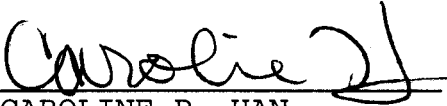
3 DATED: December 12, 2007.

4 A TRUE BILL:
5
6

Foreperson

7
8 KAREN P. HEWITT
United States Attorney

9
10 By:


CAROLINE P. HAN
Assistant U.S. Attorney